GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PS – PR&RD – Allegation of non implementation of the orders of Hon'ble High Court of AP in W.P.No.7880/2015 resulting filing C.C.No.3430/2018 & 3432/2018 - Sri G.Mutyam Babu, the then Executive Engineer, PRI Division, Guntur – Placed under suspension - Disciplinary proceedings under Rule 20 of APCS (CC&A) Rules, 1991 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (Estt-I) DEPARTMENT

G.O.Rt.No.865 **Dated: 22.10.2022**

Read the following:

1. Orders of the Hon'ble High Court dated: 11.10.2018 in WP No.7880/2015 filed by Sri A. Syam Prasad and (6) others, NMR O.S of Guntur District.
2. Contempt Case Nos.3430/2018 & 3432/2018 Form-I Notice, dated 23.09.2022.
3. G.O.Rt.No.864, PR&RD(E.I) Dept., dated 22.10.2022.

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ORDER:

It is proposed to hold an inquiry against Sri G.Mutyam Babu, the then Executive Engineer, PRI Division, Guntur (now under suspension) in accordance with the procedure laid down in Rule-20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri G.Mutyam Babu, the then EE, PRI Division, Guntur (now under suspension) is directed to submit his written statement of defence within (10) days of the receipt of this order.

4. Sri G.Mutyam Babu, the then EE, PRI Division, Guntur (now under suspension) is informed that an inquiry will be held only in respect of those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri G.Mutyam Babu, the then EE, PRI Division, Guntur (now under suspension) is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or

(P.T.O)

otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services(Classification, Control & Appeal) Rules, 1991 or the orders directions issued in pursuance of the said rules, the competent disciplinary authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri G.Mutyam Babu, the then EE, PRI Division, Guntur (now under suspension) is invited to Rule-24 of the APCS(Conduct)Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of APCS(Conduct) Rules, 1964.

7. The receipt of this order shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri G.Mutyam Babu, the then Executive Engineer, PRI Division, Guntur (now under suspension) (through the Engineer-in-Chief,Panchayat Raj, A.P.,Vijayawada.
The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada.
(in duplicate with a request to serve and return the dated acknowledgement copy)
Copy to:
The PS to Spl.CS. to CM
The OSD to Dy.CM (PR&RD)
The SE, PR, Guntur.
The EE, PRI&PIU Divisions, Bapatla.
The PR & RD (Vig.II) Department.
SF/SC

//forwarded by order///

SECTION OFFICER

ANNEXURE-I

Statement of Article of Charges framed against Sri G.Mutyam Babu, the then EE, PRI Division, Guntur (now under suspension)

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CHARGE:

That Sri G.Mutyam Babu, the then EE, PRI Division, Guntur (now under suspension) has created legal complications in non implementation of the orders of the Hon'ble High Court of AP in WP No.7880/2015 and thereby caused embarrassment situation for Government higher officials before the Hon'ble High Court of A.P. in Contempt case No.3430/2018 & 3432/2018, on 21.10.2022.

Thus, Sri G.Mutyam Babu, the then EE, PRI Division, Guntur (now under suspension) showed his disobedience of the orders issued by the higher authorities and gross negligence during his tenure from 22.09.2020 to 19.04.2022 in attending his legitimate duties and acted in contravention of Rule 3 of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-II

Statement of imputations of misconduct and misbehavior in support of Article of Charges framed against Sri G.Mutyam Babu, the then EE, PRI Division, Guntur (now under suspension)

Basis:

(1) The Hon'ble High Court of AP have passed orders dated 11.10.2018 in W.P.No.7880/2015 to release annual grade increments in the time scale of 2015 PRC to the Writ Petitioners.

(2) The Hon'ble High Court of A.P., have further directed the respondents to extend the benefit of further pay revision made from time to time.

(3) Govt. vide Memo. No.17024/2/2019-Estt.I, Dt.11.11.2020 issued orders to implement the orders of the Hon'ble High Court of A.P., dt.11.10.2018 in W.P. No.7880/2015, immediately, as a special case.

(4) In the meanwhile the petitioners in W.P. No.7880/2015 have filed Contempt Case No.3430/2018 and 3432/2018 for non-implementation of the orders passed in the said W.P.

(5) During the course of hearing in C.C.No.3430/2018 and 3432/2018, on 21.10.2022, the Hon'ble High Court have observed that the orders in the W.P. are not implemented so far and thereby lead to order to issue NBWs to the Govt. higher officials, which shows his disobedience of the orders issued by the Hon'ble Court and higher authorities.

Thus the Government Servant Sri G.Mutyam Babu, the then EE, PRI Division, Guntur (now under suspension) failed to obey the orders of the Hon'ble Court and higher authorities and gross negligence on his legitimate duties and delayed in implementation of the orders of Hon'ble High Court due to which Form-I notice in Contempt Case Nos.3430/2018 & 3432/2018 has been received from the Hon'ble High Court, leading several legal complications. Thus by the above mentioned acts, he failed to maintain absolute integrity, devotion to the duty and conduct unbecoming of a Government Servant and there by contravened the Rule 3 of APCS (Conduct) Rules, 1964.

Hence, the above charge.

GOPAL KRISHNA DWIVEDI

PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-III

List of documents by which the Article of Charge framed against Sri G.Mutyam Babu, the then EE, PRI Division, Guntur (now under suspension) are proposed to be sustained:

1. High Court of A.P orders dated:11.10.2018 in W.P.No.7880/2015 filed by Sri A. Syam Prasad and (6) others NMR O.S of Guntur District.

2. FORM-I Notices issued by the Hon'ble High Court in the Contempt Case Nos.3430/2018 & 3432/2018 to the respondents dt.02.11.2019 & 23.09.2022.

3. Govt. Memo.No.17024/2/2019-Estt.I, Dt.11.11.2020.

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PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

List of witnesses by whom the Article of Charge against Sri G.Mutyam Babu, the then EE, PRI Division, Guntur (now under suspension) is proposed to be sustained:

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- Nil -

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PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER